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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HECTOR MUNOZ-ZULETA,

Plaintiff,

-against-

J. KROM, P. PAGE-CANNONIER, and M.
GUSMAN

Defendants.

No. 24 CIV 2696 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge:

Pro se Plaintiff Hector Munoz Zuleta commenced an action against J. Krom, P. Page-Cannonier and M. Gusman, bringing claims under 42 U.S.C. § 1983 and 1988, alleging deliberate indifference to *pro se* Plaintiff's medical needs. *Zuleta v. Krom*, 7:24-civ-2363 (KMK) (*Zuleta I*). (ECF No. 1). *Pro se* Plaintiff then commenced this action, *Zuleta v. Krom*, 7:24-civ-2696 (NSR) (*Zuleta II*). (ECF No. 1), again against J. Krom, P. Page-Cannonier and M. Gusman and again bringing claims under 42 U.S.C. § 1983 and 1988 based on alleged deliberate indifference to *pro se* Plaintiff's medical needs. A review of the complaints reveals identical claims and factual allegations between *Zuleta I* and *Zuleta II*.

On August 29, 2024, the Court directed *pro se* Plaintiff to show cause on or before September 26, 2024, as to why the *Zuleta II* should not be dismissed as duplicative of *Zuleta I*. (ECF No. 18). This Court is empowered to dismiss duplicative actions. *See James v. AT & T Corp.*, 334 F. Supp. 2d 410 (S.D.N.Y. 2004) (district court may dismiss duplicative suits where claims, parties and relief do not significantly differ between the two actions as part of its general powers to administer its docket).

To date, *pro se* Plaintiff has failed to respond in accordance with the Court's August 29, 2024, Order. Accordingly, the Court dismisses without prejudice *Zuleta II* as duplicative of *Zuleta I*.

The Clerk of Court is kindly directed terminate the instant action and to mail a copy of this Order to *pro se* Plaintiff at the address listed on ECF and to show service on the docket.

Dated: November 19, 2024
White Plains, New York

SO ORDERED:

A handwritten signature in blue ink, appearing to read "Nelson S. Román", is written over a light gray rectangular background.

NELSON S. ROMÁN
United States District Judge